



IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	1:10cr313 (LMB)
)	
JOSHUA BEHROUZ NABATKHORIAN)	
)	
Defendant.)	
)	

ORDER

Although the government does not oppose the defendant's Motion to Delay Surrender Date [Dkt. No. 69], the Court finds no good cause to extend any further the date on which the defendant must surrender to start serving his sentence. The defendant has already been granted several extensions of deadlines to accommodate family-related issues; such extensions, at some point, must come to an end.

Defendant argues that he needs to remain home with his family for an additional two weeks because his minor child EN has "[f]or the past eight (8) weeks . . . been vomiting and experiencing constant, severe stomach aches and pain." Yet, records in the Pretrial Services Office show that the family received permission to travel to Hershey, Pennsylvania on April 19, 2011, and the doctor's report attached to the motion does not describe the child's illness to be life-threatening. In fact, the doctor opines that "there are a number of issues at home unrelated to [the child's] health that may be complicating the

overall picture."

The sad reality of the criminal justice system is the effect it has on innocent third parties. The Court has no doubt that the defendant's conviction and resulting sentence could be affecting his son's health. That possibility, however, does not entitle the defendant to delay satisfying the sentence imposed on February 25, 2011.

For these reasons, the defendant's Motion to Delay Surrender Date [Dkt. No. 69] is DENIED, and it is hereby

ORDERED that the defendant self-surrender on May 18, 2011 as directed by the United States Marshals Service.

The Clerk is directed to forward a copy of this Order to counsel of record, United States Pretrial Services Officer Paul Arnett, and the United States Marshals Service.

Entered this 13th day of May, 2011.

Alexandria, Virginia

/s/ LMB
Leonie M. Brinkema
United States District Judge